

THURSDAY, MAY 6, 1909.

The Senate met, pursuant to adjournment.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers—29.

A quorum present.

Prayer by the Chaplain.

By unanimous consent, the reading of the Journal of May 5 was dispensed with.

The Journal of May 5 was corrected.

Mr. Adkins, upon request, was excused from the morning's session.

Mr. Buckman presented the following memorial:

Order of Railway Conductors,
St. Johns Division No. 196.

Jacksonville, Fla., May 2, 1909.

*To the Hon. F. M. Hudson, President of the Senate, and
Members of Florida State Senate.*

Whereas, there are now two bills pending before the Legislature, known as the Light bill and the West bill; the passage of same we consider would be against the best interests of the State of Florida, as it would impose not only a hardship on all public service corporations and firms doing business within the State, but would result in a great hardship to thousands of employes and more especially to those engaged in the railway service. The increase of taxation and operating expenses of all incorporations will mean the reduction of salaries, longer hours of work to the employees; and

Whereas, The State of Florida is just now verging upon a new era of prosperity, we feel that the enactment of such drastic laws as now proposed would prevent capitalists and manufacturers from entering our State,

and it would affect not only the laborer, but the farmer and the mechanic; therefore, be it

Resolved, By Division 196, Order of Railway Conductors of America, representing some two hundred and fifty members that are in active service, besides some thousand or fifteen hundred who are engaged in the railroad service in other parts of the State of Florida, that we petition our Senator and Representative in the Florida Legislature that if possible they cast their vote and use their influence against the passage of the two bills mentioned, and of other bills of like nature, and that this Division instruct its legislative committee to forward this preamble and resolution to our Senator and Representative in the upper and lower houses of the Legislature of the State of Florida, assuring them that this Division is at all times in hearty accord with the passage of all wholesome legislation that tends to advance the interests of the State of Florida in every respect, and believing that when the interest of the whole State is advanced corporations, of whatsoever nature, will share in the prosperity, but if the corporations are discriminated against we feel it strikes home to every laborer employed by these corporations; be it

Resolved, That the secretary and treasurer attest this preamble and resolution and affix the seal of this Division to the same and turn them over to our legislative committee to be forwarded to Tallahassee at once.

Done in open Division this 2d day of May, 1909.

Attest: E. STEINHAUSEN,
Secretary and Treasurer, O. R. C., Division No. 196.

Which was read.

Mr. Buckman moved that the memorial be spread upon the Journal.

Which was agreed to.

REPORTS OF COMMITTEES.

Mr. Broome, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 123:

A bill to be entitled an act to amend Section 370 of the General Statutes of the State of Florida, relating to State certificate.

Also—

Senate Bill No. 103:

A bill to be entitled an act to amend Section 371 of the General Statutes of the State of Florida, relating to life certificate.

Also—

Senate Bill No. 156:

A bill to be entitled an act to amend Section 3101 of the General Statutes of the State of Florida, relating to the sale of personal property, pledged or deposited as collateral security.

Also—

Senate Bill No. 56:

A bill to be entitled an act giving the holder of a negotiable instrument the right to sue the maker and endorsers thereof, jointly.

Also—

Senate Bill No. 7:

A bill to be entitled an act requiring certain State officers, State Boards and certain Departments of the State Government to make detailed reports, and providing a penalty for failure to comply with said requirements.

Also—

Senate Bill No. 196:

A bill to be entitled an act to amend Section 3426 of the General Statutes of the State of Florida.

Beg leave to report that having examined said bill, return herewith correctly engrossed.

Very respectfully,

JAMES E. BROOME,

Chairman of Committee.

And Senate Bills Nos. 123, 103, 156, 56, 7 and 196, contained in the above report, were placed on the Calendar of Bills on Third Reading.

Mr. Henderson, Chairman of the Committee on Education, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Education, to whom was referred—
Senate Bill No. 113:

A bill to be entitled an act to make mandatory at least one High School in every county.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,
JOHN W. HENDERSON,
Chairman of Committee.

And Senate Bill No. 113, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Henderson, Chairman of the Committee on Education, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Education, to whom was referred—
Senate Bill No. 224:

A bill to be entitled an act making an appropriation for the encouragement and promotion of the Public Schools in all of the counties of the State of Florida.

Also—

Senate Bill No. 170:

A bill to be entitled an act, providing for and requiring the teachers of the elementary principles of agriculture and the elements of civil government in all the common schools of the State of Florida; to provide a penalty in case any County Board of Education fails to provide for the teaching of the same and requiring all teachers to stand a satisfactory examination upon said subjects.

Also—

House Bill No. 45:

A bill to be entitled an act requiring teachers Summer Training Schools, and making appropriations therefor.

Have had the same under consideration and recommend that they do pass.

Very respectfully,
JOHN W. HENDERSON,
Chairman of Committee.

And Senate Bills Nos. 224 and 170 and House Bill No. 45, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Mr. Davis, Chairman of the Committee on Commerce and Navigation, submitted the following report—

Senate Chamber,
Tallahassee, Fla., May 4, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Commerce and Navigation to whom was referred—

Senate Bill No. 303:

A bill to be entitled an act to declare Chipola River, in the Counties of Calhoun and Jackson, in the State of Florida, to be a navigable stream.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
T. S. DAVIS,
Chairman of Committee.

And Senate Bill No. 303 contained in the above report, was placed on the calendar of bills on second reading.

Mr. Cone, Acting Chairman of the Committee on Organized Labor, submitted the following report—

Senate Chamber,
Tallahassee, Fla., May 4, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Organized Labor to whom was referred—

Senate Bill No. 293:

A bill to be entitled an act to regulate child labor in

the State of Florida, and to make the provisions of such act effective; creating the office of State Labor Inspector and defining duties and compensation of such officer.

Have had the same under consideration and recommended that it do pass with the following committee amendments, to wit:

In Section 8 at line 3 of said bill after the word "occupation" and before the word "more," insert the words "Save agriculture and domestic service."

Very respectfully,

F. P. CONE,

Acting Chairman of Committee.

And Senate Bill No. 293, with the committee amendments, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Cone, Chairman of the Committee on Judiciary B, submitted the following report—

Senate Chamber,

Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Judiciary B, to whom was referred—

House Bill No. 8:

A bill to be entitled an act amending Sections 2, 3, 5 and 8 of an act defining the manner and causes of commitment of minors to the Florida State Reform School at Marianna; defining who shall be committed, and for what time, and upon what conditions; regulating the discipline, providing for proper management of said Reform School, and appropriating money for said institution. Approved June 15, 1905.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

F. P. CONE,

Chairman of Committee.

And House Bill No. 8, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Cone, Chairman of the Committee on Judiciary B, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 269:

A bill to be entitled an act to provide for the punishment of offenses where no punishment is otherwise prescribed.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

F. P. CONE,
Chairman of Committee.

And Senate Bill No. 269, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Cone, Chairman of the Committee on Judiciary B, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 295:

A bill to be entitled an act authorizing the change, by municipal ordinance, approved by the electors of cities and towns, of the numbers, powers and duties, terms of office and time and manner of election or appointment of municipal officers, excepting only as to the legislative powers and duties of City or Town Councils.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,

F. P. CONE,
Chairman of Committee.

And Senate Bill No. 295, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Cone, Chairman of the Committee on Judiciary B,
submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 223:

A bill to be entitled an act to prescribe the time for holding the terms of the Circuit Court in and for the Fifth Judicial Circuit of the State of Florida.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,

F. P. CONE,

Chairman of Committee.

And Senate Bill No. 223, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Cone, Chairman of the Committee on Judiciary B,
submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Judiciary B, to whom was referred—

House Bill No. 210:

A bill to be entitled an act to amend Section 3626 of the General Statutes of the State of Florida, relating to the discharge of firearms in public.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,

F. P. CONE,
Chairman of Committee.

And House Bill No. 210, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Cone, Chairman of the Committee on Judiciary B,
submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 333:

A bill to be entitled an act to insure the arrest of persons charged with unlawful homicide, and providing for the payment of a reward for the arrest of such persons.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,
F. P. CONE,
Chairman of Committee.

And Senate Bill No. 333, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Cone, Chairman of the Committee on Judiciary B,
submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Judiciary B, to whom was referred—

House Bill No. 46:

A bill to be entitled an act to amend Section 1523 of the General Statutes of Florida, in reference to evidence given upon a former trial and use of former bills of exceptions.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
F. P. CONE,
Chairman of Committee.

And House Bill No. 46, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Cone, Chairman of the Committee on Judiciary B, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Senate Bill No. 305:

A bill to be entitled an act to amend Sections 2008, 2011, 2013 and 2027, of Article 6, Chapter XI, Title 3, of the General Statutes of the State of Florida, relating to exercise of right of eminent domain.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,

F. P. CONE,
Chairman of Committee.

And Senate Bill No. 305, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Cone, Chairman of the Committee on Judiciary B, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Judiciary B, to whom was referred—

House Bill No. 118:

A bill to be entitled an act relating to the approval of official bonds.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

F. P. CONE,
Chairman of Committee.

And House Bill No. 118, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Massey, Chairman of the Committee on Judiciary A, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 6, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 263:

A bill to be entitled an act to require fire insurance companies to deposit a certain amount in cash or securities with the Treasurer of the State of Florida.

Recommend the following amendment, to-wit:

In Section 1, line 6, after the words "ten thousand dollars," insert the following:

"Or a surety bond in the amount of twenty thousand dollars of a surety company authorized to do business in the State of Florida, said bond and company to be approved of by the State Treasurer; the surety company offering such bond agreeing, in case of a failure of any fire insurance company so bonded to deposit immediately with the State Treasurer twenty thousand dollars in cash or marketable securities, to be held by the Treasurer for the protection of all legal claims against such company in this State, as provided in this Act."

Have had the same under consideration and recommend that it do pass, with above amendment.

Very respectfully,

LOUIS C. MASSEY,
Chairman of Committee.

And Senate Bill No. 263, together with the amendment thereto, contained in the above report, was placed on the Calendar of Bills on the Second Reading.

Mr. Massey, Chairman of the Committee on Judiciary A, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 6, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 257:

A bill to be entitled an act to amend Section 3267 of the General Statutes of the State of Florida, relating to penalty for carrying pistol or repeating rifle without first obtaining a license.

Very respectfully,

LOUIS C. MASSEY,
Chairman of Committee.

And Senate Bill No. 257, contained in the above report, was placed on the Calendar of Bills on the Second Reading.

Mr. Cottrell, Chairman of the Committee on Public Lands and Drainage, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 6, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Public Lands and Drainage, to whom was referred—

Senate Bill No. 311:

A bill to be entitled an act making it unlawful for any person to break down, injure, destroy or remove any dam or levee used in connection with any dredging or drainage operations, or in connection with any canal in this State, and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same do pass, with the following Committee amendment, to-wit:

Strike out from the word "break" in the first line of the title of said bill the letter "d" and add the letter "k" in lieu thereof, so as to make said word read "break."

Very respectfully,

E. L. COTTRELL,
Chairman of Committee.

And Senate Bill No. 311, with the committee amendments thereto, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. E. L. Cottrell, Chairman of the Committee on Public lands and Drainage, submitted the following report—

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Public Lands and Drainage, to whom was referred—

Senate Bill No. 197:

A bill to be entitled an act providing for the maintenance and repair of public drains and ditches in the several counties of this State; defining and prescribing the duties of the Board of County Commissioners, relative thereto, and providing for the assessment and collection of additional taxes on property benefited by such maintenance and repair.

Have had the same under consideration, and recommend that the same do pass with the following committee amendment—

In Section 5 on line 4 strike out the word "is" after the word "advertise" and insert in lieu thereof the word "in."

Very respectfully,

E. L. COTTRELL,
Chairman of Committee.

And Senate Bill No. 197, with the committee amendments thereto, contained in the above report, was placed on the calendar of bills on second reading.

Mr. E. L. Cottrell, Chairman of the Committee on Public Lands and Drainage, submitted the following report—

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Public Lands and Drainage, to whom was referred—

Senate Bill No. 313:

A bill to be entitled an act to amend Section 617 of the General Statutes of the State of Florida, relating to the trustees of the internal improvement fund of Florida and to their powers and duties.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

E. L. COTTRELL,
Chairman of Committee.

And Senate Bill No. 313, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Davis, Chairman of the Committee on Commerce and Navigation, submitted the following report—

Senate Chamber,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Commerce and Navigation to whom was referred—

Senate Bill No. 210:

A bill to be entitled an act to amend Sections 1293, 1295 and 1300 of the General Statutes of the State of Florida, relating to the powers and duties of Pilot Commissions and the rate of pilotage.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,

T. S. DAVIS,
Chairman of Committee.

And Senate Bill No. 210, contained in the above report, was placed on the Calendar of Bills on the Second Reading.

Mr. Broome, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 6, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 39:

A bill to be entitled an act to legalize and confirm all grants, licenses and permits heretofore made and given by County Commissioners in relation to the occupation and use of highways, roads and streets, by surface street railways, which licenses, grants or permits have been acted upon by the grantee or grantees, their successors or assigns, by the expenditure of money in good faith and by the actual occupancy of such highways by now operating surface streets railroad thereon.

Also—

Senate Bill No. 110:

A bill to be entitled an act to regulate the killing and butchering of cattle.

Also—

Senate Bill No. 164:

A bill to be entitled an act to amend Section 3767 of the General Statutes of the State of Florida, and to protect food fishes in the rivers, creeks and bayous of said State.

Also—

Senate Bill No. 176:

A bill to be entitled an act authorizing Trustees of special tax school districts in the several counties of the State of Florida to issue bonds or other evidence of indebtedness to secure any outstanding indebtedness of said district and to secure any indebtedness incurred in purchase of any real estate or personal property for educational purpose, and the erection of buildings and maintaining the same for such issuing of bonds.

Was taken up and read the second time in full.

The following committee amendment was read:

Also—

Senate Bill No. 177:

A bill to be entitled an act to confer upon the Railroad Commissioners of the State of Florida jurisdiction to regulate the service and charges of telegraph companies operating in this State.

Beg leave to report that having carefully examined said bill, return same herewith correctly engrossed.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

JAMES E. BROOME,
Chairman of Committee.

And Senate Bills Nos. 39, 110, 164, 176 and 177, contained in the above report, was placed on the Calendar of Bills on Third Reading.

INTRODUCTION OF RESOLUTIONS.

Mr. Johnson offered the following resolution:

By Mr. Johnson, Seventeenth District—

Senate Resolution No. 43:

Whereas, It appears from the State Treasurer's report for the year beginning January 1, 1908, and ending December 31, 1908, that the proceeds from the hire of State convicts for said year was \$271,132.34; and

Whereas, it further appears from said report that of said proceeds there was divided up among and remitted to the various counties of the State the sum of \$204,564.10, and that there only remained a balance in the Treasury the sum of \$17,544.26; and

Whereas, Said report shows that for the administration and expense of said funds and department there was expended for said year the sum of \$49,023.98, an abnormally large part of which has been expended for traveling expenses and other expenses; therefore, be it

Resolved, That the Senate Committee on Prisons and Convicts do take under consideration the administration of this department.

Mr. Johnson moved to adopt the Resolution.

Which was agreed to.

And Senate Resolution No. 43 was adopted.

By Mr. Dayton—

Senate Resolution No. 44:

Whereas, Many persons request Senators to introduce bills; and

Whereas, Many of such bills are introduced "by request" by the Senators; therefore, be it

Resolved, by the Senate, that each and every Senator introduced a bill or measure "by request" shall state after the words "by request" the person, firm or corporation making the request.

Mr. Dayton moved to adopt the Resolution No. 44.

Which was not agreed to.

And Senate Resolution No. 44 was not adopted.

Mr. Zim offered the following Senate Memorial No. 3—

A memorial to the Congress of the United States requesting action to secure recognition of the four hundredth anniversary of the landing of Ponce de Leon in America in 1513—

Be it Resolved by the Legislature of the State of Florida, That the Congress of the United States be, and is hereby memorialized to take some appropriate action to join the State of Florida in proper celebration of the four hundredth anniversary of the landing of Ponce de Leon in America; said celebration to be in 1913, in the City of St. Augustine in the State of Florida, where such landing took place in the year, 1513.

That our Senators and Representatives in Congress are requested to secure the proper action by the Congress.

Which was read the first time. Laid over under the rule.

INTRODUCTION OF BILLS.

By Mr. Henderson—

Senate Bill No. 352:

A bill to be entitled an act fixing the hire of guards and bailiffs employed by sheriffs.

Which was read the first time by its title and referred to the Committee on Prisons and Convicts.

By Mr. Henderson—

Senate Bill No. 353:

A bill to be entitled an act amending Section 976 of the General Statutes of Florida, regulating fees for feeding prisoners.

Which was read the first time by its title and referred to the Committee on Prisons and Convicts.

By Mr. Davis (by request)—

Senate Bill No. 354:

A bill to be entitled an act authorizing and providing for the construction and maintenance of trunk line highways through the State of Florida.

Which was read the first time by its title and referred to the Committee on Public Roads and Highways.

By Mr. Sams—

Senate Bill No. 355:

A bill to be entitled an act to amend Section 2868 of the General Statutes of the State of Florida, relating to railroad fences.

Which was read the first time by its title and referred to the Committee on Railroads.

By Mr. McCreary—

Senate Bill No. 356:

A bill to be entitled an act to abolish the present municipal government of the Town of Newberry, in the County of Alachua, State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Newberry, to define its territorial boundaries, to provide for its jurisdiction, powers and privileges and for the exercise of same.

Which was read the first time by its title and referred to the Committee on Municipalities.

By Mr. Harris—

Senate Bill No. 357:

A bill to be entitled an act to exempt and relieve certain described territory in Lee County, Florida, from the operation and effect of Sections 1233 and 1234 of the General Statutes of the State of Florida, so far as said sections relate to hogs or swine.

Which was read the first time by its title.

Mr. Harris moved that the ruled be waived and that Senate Bill No. 357 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 357 was read the second time by its title.

Mr. Harris moved that the rules be waived and that Senate Bill No. 357 be passed to the second reading without reference.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 357 was placed on the calendar of bills on the second reading without reference.

By Mr. Humphries—

Senate Bill No. 358:

A bill to be entitled an act to amend Section 3750 of

the General Statutes of the State of Florida, then dating to the open season for hunting and killing deer.

Which was read the first time by its title and referred to the Committee on Game and Fisheries.

By Mr. Dayton—

Senate Bill No. 359:

A bill to be entitled an act to authorize the County Commissioners of Pasco County, Florida, to lay out, grade, construct, build, repair, macadamize, clay, rock or pave public highways, roads or boulevards in Pasco County, Florida, and to authorize said Commissioners to make contracts to lay out, grade, construct, repair, build, macadamize, rock, clay or pave public highways, roads or boulevards in Pasco County, Florida.

Which was read first time by its title.

Mr. Dayton moved that the rules be waived and that Senate Bill No. 359 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 359 was read a second time by its title.

Mr. Dayton moved that the rules be further waived and that Senate Bill No. 359 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 359:

A bill to be entitled an act to authorize the County Commissioners of Pasco county, Florida, to lay out, grade, construct, build, repair, macadamize, clay, rock or pave public highways, roads or boulevards in Pasco county, Florida, and to authorize said Commissioners to make contracts to lay out, grade, construct, repair, build, macadamize, rock, clay or pave public highways, roads or boulevards in Pasco county, Florida.

Was read a third time in full.

Upon the passage of Senate Bill No. 359 the roll was called, and the vote was:

Yeas—Mr. President, Senators Adkins, Baker (Twenty-thieth District), Baker (Twenty-ninth District), Broome, Buckman, Crill, Cook, Cone, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Mc-

Creary, McLeod, Miller, Sams, Sloan, West, Williams, Withers—24.

Nays—None.

So the bill passed, title as stated.

And the same was ordered certified by the House of Representatives under the rule.

By Mr. Dayton—

Senate Bill No. 360—

A bill to be entitled an act to provide for the appointment of a Fish Commission for the State of Florida, to define his duties and powers and to provide a system of license taxes for the several branches of the salt water fish industry of the State, the levying and collection of the same, and to prescribe penalties for its violation.

Which was read the first time by its title and referred to the Committee on Fish and Games.

By Mr. McMullen (by request)—

Senate Bill No. 361:

A bill to be entitled an act to amend Sections 1844, 1845, 1850 and 1851 of the General Statutes of the State of Florida, relating to official court reporters and their duties.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. McMullen (by request)—

Senate Bill No. 362:

A bill to be entitled an act in relation to trust and investment companies, associations and corporations.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Baker, of Twenty-ninth District—

Senate Bill No. 363:

A bill to be entitled an act regulating the publication in newspapers of articles, either as news matter or as editorials, for the publication of which money has been paid, and prescribing penalties for the violation thereof.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Sloan—

Senate Bill No. 364:

A bill to be entitled an act to amend Section 1512 of the

General Statutes of Florida, as amended by Chapter 5649 of the Laws of 1907, the same being relative to the pay of witnesses.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Sloan—

Senate Bill No. 365:

A bill to be entitled an act to prevent corrupt practice at, and in connection with elections and primary elections in this State, and providing a penalty for the violation of this act.

Which was read the first time by its title and referred to the Committee on Privileges and Elections.

By Mr. Sloan—

Senate Bill No. 366:

A bill to be entitled an act to amend Section 3267 of the General Statutes of the State of Florida, the same being relative to carrying a pistol or repeating rifle without first obtaining a license and the penalty therefor.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Dayton—

Senate Bill No. 367:

A bill to be entitled an act to cure certain informalities in the execution of deeds and other instruments conveying or transferring real or personal property or relinquishing dower made by married women prior to the first day of May, A. D. 1909.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. McCreary—

Senate Bill No. 368:

A bill to be entitled an act amending Section 874, Chapter XI of the General Statutes of the State of Florida, relating to the division of counties into road districts.

Which was read the first time by its title and referred to the Committee on Public Roads and Highways.

By Mr. Beard—

Senate Bill No. 369:

A bill to be entitled an act to amend Sections 1293 and

1295 of the General Statutes of the State of Florida, relating to the powers and duties of Pilot Commissioners.

Which was read the first time by its title.

Mr. Beard moved that 200 copies be printed.

Which was agreed to.

Mr. Beard moved to pass the bill to second reading and make it a special order for Tuesday at 10:30 o'clock.

Which was agreed to.

By Mr. Johnson—

Senate Bill No. 370:

A bill to be entitled an act to amend Section 3162 of the General Statutes of the State of Florida, relating to supervisors of convicts.

And Senate Bill No. 370 was read the first time by its title and was referred to the Committee on Prisons and Convicts.

CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 17:

A concurrent resolution requesting the Congress of the United States to appropriate \$50,000.00 for the purpose of deepening Charlotte harbor in front of the wharves at Punta Gorda, Florida.

Was taken up and read the second time.

Upon the passage of House Concurrent Resolution No. 17, it was agreed to and adopted.

And the same was ordered to be certified to the House of Representatives under the rule.

House Concurrent Resolution No. 18:

Whereas, The "Payne Tariff Bill," now pending in the Congress of the United States, has included potash salts in the list liable to retaliatory and countervailing duties; by which a duty of 20 per cent. advalorem import tax may be imposed, "Whenever.....sixty days from the passage of this act, any country fails to admit, on terms as favorable as those allowed to any article imported from.....any other country."

Whereas, Germany does not now grant to the United States the "Most favored nation treatment," but does discriminate against certain importations from the United States. A 20 per cent. advalorem duty will therefore be imposed on potash salts imported from Germany.

Whereas, A duty of two-tenths of one cent per pound, or four dollars per ton, is proposed by the bill of the Senate Committee on imported sulphate of ammonia.

Whereas, An increase of 20 per cent. in the cost of potash salts would increase the cost of fertilizers in Florida \$1.54 per ton, or two hundred thousand dollars for the 130,000 tons used in this State. While the increase in cost of sulphate of ammonia, the ammoniate most commonly used by the fruit and vegetable growers of Florida, would be \$4.00 per ton.

Whereas, The six hundred thousand tons of potash salts, and the large amount of sulphate of ammonia now imported from Germany into the United States, are mostly used by the farmers of the United States, and particularly by those of the cotton growing States; therefore,

Be it Resolved by the House of Representatives of the State of Florida, the Senate Concurring:

Section 1. That the threatened removal from the free list of any article used for fertilizer or manure will impose an unjust burden upon the farmers of America, and particularly those of the State of Florida and the cotton growing States of the Union.

Sec. 2. That our Representatives in the Congress of the United States be requested to use all honorable means to defeat this threatened injustice to the agricultural interests of the nation and have placed on the unconditional free list all fertilizers or manures and all materials used in the manufacture of fertilizers.

Was taken up and read the second time.

Upon the question of the passage of House Concurrent Resolution No. 18 it was agreed to and adopted, and the same was ordered to be certified to the House of Representatives under the rule.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives.
Tallahassee, Fla., May 4, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has concurred in the following amendment of the Senate to House Bill No. 77:

Strike out all Section 1, and insert in lieu thereof the following:

Section 1. That all the acts of the Board of Public Instruction of Taylor county, State of Florida, in relation to the issuance of the county school script of Taylor county, Florida, known as County School Warrants of said county, which said script or County School Warrants have been and are to be issued for the building of a school house in Perry, Taylor county, Florida, and are to be styled, designated and labeled "School House Warrants," to the amount of fourteen thousand four hundred (\$14,400.00) dollars, due and payable at the office of the County Treasurer as follows: \$2,500.00 due June 1, 1909; \$2,500.00 due June 1, 1910; \$2,500.00 due June 1, 1911; \$2,500.00 due June 1, 1912; \$2,500.00 due June 1, 1913, and \$1,900.00 due June 1, 1914, be and the same are hereby in all respects validated and declared legal and binding obligations of Taylor county, Florida.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives.
Tallahassee, Fla., May 4, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendment to House Bill No. 316, as follows:

Prefix to "a bill to be entitled an act."

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has refused to concur in Senate amendment to—

House Bill No. 29:

A bill to be entitled an act to repeal Chapter 5767 of the Laws of Florida, entitled "An act to organize a County Court in and for the county of Lafayette, to prescribe the terms thereof, and to provide for the appointment of a Prosecuting Attorney and for his compensation, and for that of the Judge of said court."

The amendment as follows:

Strike out all of Sections 3 and 4 and add in lieu thereof the following:

"Sec. 3. This act shall take effect on its passage and approval by the Governor, or on its becoming a law without his approval."

And respectfully request the Senate to recede therefrom.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

Mr. Cottrell moved that the Senate do not recede from its amendment.

Which was agreed to.

So the Senate refused to recede from its amendment to House Bill No. 29.

And the action of the Senate was ordered to be certified to the House of Representatives under the rule.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has passed—

Senate Bill No. 16:

A bill to be entitled an act to regulate osteopaths and osteopathy.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 16 was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read—

House of Representatives,
Tallahassee, Fla., May 4, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Memorial No. 2:

Memorial to Congress asking that an appropriation be made for surveying and opening three inlets from the Atlantic Ocean into the inland waters of the East Coast of Florida.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Memorial No. 2 was read the first time and was laid over under the rule.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 4, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has passed—

House Bill No. 262:

A bill to be entitled an act enabling the town of Winter Park to impound stock of all kinds.

Also—

House Bill No. 287:

A bill to be entitled an act to give the City of Orlando a lien upon private property for work done by the city where necessary for public health or convenience.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And—

House Bill No. 262, contained in the above message, was read the first time by its title.

Mr. Massey moved that House Bill No. 262 be passed to the calendar of bills on the second reading without reference.

Which was agreed to by a two-thirds vote, and the bill was so placed.

And—

House Bill No. 287, contained in the above message, was read the first time by its title.

Mr. Massey moved that House Bill No. 287 be placed on the calendar of bills on the second reading without reference.

Which was agreed to by a two-thirds vote, and the bill took its place on the calendar of bills on the second reading.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 5, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has passed—

House Bill No. 71:

A bill to be entitled an act to provide for the reinstatement on the docket of the Supreme Court of any case dismissed on account of defective certificate.

Also—

House Bill No. 107:

A bill to be entitled an act requiring Tax Assessors to furnish to the boards of Public Instruction of their respective counties a list showing the total amount of special district taxes assessed in the several special school districts.

Also—

House Bill No. 27:

A bill to be entitled an act providing for the confirmation by the Judge granting the order to sell real estate belonging to infants.

Also—

House Bill No. 111:

A bill to be entitled an act relating to the recording of decrees and orders in chancery in this State.

Also—

House Bill No. 151:

A bill to be entitled an act to amend Section 2295 of the General Statutes of the State of Florida, relating to rules of descent as to real estate.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 71, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary B.

And House Bill No. 27, contained in the above message, was read the first time by its title.

Mr. McMullen moved to waive the rules and to place House Bill No. 27 on the Calendar of Bills on Second Reading without reference.

Which was agreed to by a two-thirds vote.

And House Bill No. 107, contained in the above message, was read the first time by its title and referred to the Committee on Education.

And House Bill No. 111, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary A.

And House Bill No. 151, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary A.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, May 5, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, by a constitutional three-fifths vote of all members of the House of Representatives—

House Joint Resolution No. 487:

A joint resolution proposing amendments to Article V of the Constitution of the State of Florida, relative to the Judiciary Department.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Joint Resolution No. 487, contained in the above message, was read the first time by its title and was referred to the Committee on Constitutional Amendments.

Also the following message from the House of Representatives was read:

House of Representatives.
Tallahassee, Fla., May 6, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 22:

A bill to be entitled an act to prescribe rules of practice in civil cases in the Justices of Peace Courts in the State of Florida.

Also—

House Bill No. 56:

A bill to be entitled an act to prevent the wanton or unnecessary destruction of food fish.

Also—

House Bill No. 114:

A bill to be entitled an act providing that in certain suits, non-resident infants who are proper parties, defendant may be served with process by publication.

Also—

House Bill No. 44:

A bill to be entitled an act to protect the fresh water fishes in the fresh water lakes and ponds in the county of Marion.

Also—

House Bill No. 500:

A bill to be entitled an act to prohibit the destruction of fish in the fresh water lakes and ponds in Madison county, Florida.

Also—

House Bill No. 121:

A bill to be entitled an act to provide for a special road tax for cities and towns.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 22, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary B.

And House Bill No. 56, contained in the above message, was read the first time by its title and referred to the Committee on Game and Fisheries.

And House Bill No. 114, contained in the above message, was read the first time by its title and was referred to the Committee on Judiciary A.

And House Bill No. 44, contained in the above message, was read the first time by its title.

Mr. Baker, of 2th District, moved to waive the rules and that House Bill No. 44 be placed on the Calendar of Bills on the Second Reading.

Which was agreed to by a two-third vote, and the bill was so placed.

And House Bill No. 50 contained in the above message, was read the first time by its title.

Mr. Leggett moved to waive the rules and that House Bill No. 500 be placed on the Calendar of Bills on the Second Reading without reference.

Which was agreed to by a two-thirds vote, and the bill was so placed.

And House Bill No. 121, contained in the above message, was read the first time by its title and was referred to the Committee on Municipalities.

Mr. McCreary moved that the rules be waived and that the Senate now proceed to take up bills on the third reading.

Which was agreed to by a two-thirds vote, and the Senate proceeded to consider—

BILLS ON THE THIRD READING.

Senate Bill No. 65:

A bill to be entitled an act to prohibit the sale or giving away of certain narcotics, and providing a penalty for violations of the provisions thereof.

Was taken up, and by consent was passed over informally.

Senate Bill No. 84:

A bill to be entitled an act to authorize Boards of County Commissioners to transfer any surplus in the

General Fund arising from the taxes levied and assessed for the year 1908 to the Road and Bridge Fund, and ratifying and confirming transfers already made.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 84 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Broome, Buckham, Crill, Cone, Cottrell, Davis, Dayton, Harris, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Sams, Sloan, West, Withers—24.

Nays—Henderson, Williams—2.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

SPECIAL ORDER OF THE DAY.

The hour of 11 o'clock having arrived, the hour set for the special consideration of Senate Bill No. 172.

Senate Bill No. 172:

A bill to be entitled an act dividing the State into Senatorial districts and apportioning members of the House of Representatives.

Was taken up and read the second time in full.

Mr. Baker, of the 29th, Chairman of the Committee on County Organization, as required by the rule, moved to indefinitely postpone the bill.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Baker (29th Dist.), Broome, Crill, Cook, Cone, Cottrell, Davis, Girardeau, Henderson, Hosford, Leggett, Massey, McLeod, Miller, Sams, Williams, Withers—18.

Nays—Senators Baker (20th Dist.), Beard, Buckman, Harris, Humphries, Johnson, McCreary, McMullen, Sloan, West—10.

Mr. Dayton was excused from voting.

So Senate agreed to indefinitely postpone Senate Bill No. 172.

Mr. Dayton moved to adjourn.

Which was not agreed to.

Mr. Beard moved to take up miscellaneous business.

Which was agreed to.

MISCELLANEOUS BUSINESS.

Mr. Dayton offered the following resolution:

By Mr. Dayton—

Senate Resolution No. 44:

Whereas, Many persons request Senators to introduce bills; and

Whereas, Many of such bills are introduced "by request," by the Senators; therefore,

Be it Resolved by the Senate, That each and every Senator introducing a bill or measure "by request," shall state after the words "by request," the person, firm or corporation making the request.

Mr. Dayton moved to adopt the resolution.

Which was agreed to, and Senate Resolution No. 44 was adopted.

MISCELLANEOUS BUSINESS.

Mr. Massey offered the following Resolution No. 45:

By Mr. Massey, Nineteenth District—

Resolved, That until otherwise ordered the Senate will hold afternoon sessions on Mondays, Wednesdays and Fridays, but will not hold such sessions on Tuesdays, Thursdays and Saturdays, in order to enable the respective committees an opportunity to hold their meetings.

Mr. Massey moved to adopt the resolution.

Which was agreed to, and Senate Resolution No. 45 was adopted.

The following communication was read—

Senate Chamber,
Tallahassee, May 6, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Owing to the fact that matters of business are claiming my attention and time at home, I therefore tender this as my resignation as assistant secretary of the Senate, session of 1909.

Respectfully,
ROBERT O. SELLARS.

This was ordered to be spread on the Journal.

Mr. Cone moved to make the above communication a special order for consideration at 10:30 o'clock to-morrow morning.

Which was agreed to, and so ordered.

A communication from the Board of Trade of Marianna, Fla., was taken up.

Mr. West moved to have the communication read and spread upon the Journal.

Mr. Johnson moved as a substitute that it be laid on the table subject to call.

The substitute motion was agreed to and the communication was placed on the calendar subject to call.

A communication from Mr. Claude L'Engle was taken up, and on motion was referred to the Committee on Judiciary A.

Mr. Dayton moved that the Senate do now adjourn.

Mr. Johnson moved that the Senate do now adjourn to 10 o'clock A. M. to-morrow morning.

Which was agreed to.

Whereupon the Senate stood adjourned to 10 o'clock Friday, May 7, 1909.

FRIDAY, MAY 7, 1909.

The Senate met, pursuant to adjournment.

The President in the Chair.

The roll was called, and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Buckman, Crill, Cottrell, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers—24.

A quorum present.

Prayer by the Chaplain.

By unanimous consent the reading of the Journal of May 6 was dispensed with.

The Journal of May 6 was corrected.

The Journal of May 5 was approved as corrected.